

Notice of Allowability

Application No.

10/813,404

Examiner

Kiran B. Patel

Applicant(s)

BARBER ET AL.

Art Unit

3612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/30/04.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☒ The drawings filed on 30 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3/30/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Examiner's Amendment and
Examiner's Statement of Reasons for Allowance
Allowance

1. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given in a telephone interview with Mr. Weitzer.

2. The application has been amended as follows:

Claims 1, 10, 19 and 26 are amended to read:

1. A windshield assembly for a motorcycle, the windshield assembly comprising:
a windshield; and
at least one clamp coupled to the windshield, the clamp securable to a portion of the motorcycle in a secured condition, and the clamp releasable from the portion of the motorcycle in an unsecured condition, the clamp including a receiving portion capable of at least partially receiving the portion of the

motorcycle , and a linkage that is movably connected to the receiving portion for movement between first and second positions;

wherein the clamp is in the unsecured condition when the linkage is in the first position, wherein the clamp is in the secured condition when the linkage is in the second position, and wherein a first side of the portion of the motorcycle is received by the receiving portion and secured by the linkage when the clamp is in the secured condition such that the receiving portion and the linkage do not interlock with each other about an opposite side of the portion of the motorcycle to secure the portion of the motorcycle within the clamp .

10. A method of making a windshield assembly for a motorcycle , the method comprising:

providing a windshield ;

coupling a clamp to the windshield , wherein the clamp is securable to a portion of the motorcycle in a secured condition, and releasable from the portion of the motorcycle in an unsecured condition, the clamp including a receiving portion and a linkage that is movably connected to the receiving portion for movement between first and second positions;

wherein the clamp is in the unsecured condition when the linkage is in the first position, wherein the clamp is in the secured condition when the linkage is in the second position, wherein the receiving portion receives a first side of the portion of the motorcycle in the secured condition, and wherein the receiving portion and the linkage do not interlock with each other about an opposite side of the portion of the motorcycle in the secured condition.

19. A method of securing a windshield assembly to a motorcycle, the method comprising:

providing a windshield assembly including a windshield and at least one clamp coupled to the windshield, the clamp including a receiving portion and a linkage, the linkage being movably connected to the receiving portion; and

moving the linkage to receive a first side of a portion of the motorcycle within the receiving portion and to secure the windshield assembly to a portion of the motorcycle such that the linkage does not interlock with the receiving portion about an opposite side of the portion of the motorcycle.

Cancel claim 26.

3. The following is an Examiner's statement of reasons for allowance:

The primary reason for the allowance of the claims in this case, is the inclusion of the limitation "the clamp is in the unsecured condition when the linkage is in the first position, wherein the clamp is in the secured condition when the linkage is in the second position, and wherein a first side of the portion of the motorcycle is received by the receiving portion and secured by the linkage when the clamp is in the secured condition such that the receiving portion and the linkage do not interlock with each other about an opposite side of the portion of


the motorcycle_ to secure the portion of the motorcycle within the clamp" in the independent claim, in combination with the other recited limitations in claims supported by this application, which are not found in the prior art of record.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications should be directed to Primary Examiner Kiran B. Patel whose telephone number is 703-305-0254. The examiner can normally be reached on M-F from 8:00 to 5:00. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Kiran B. Patel, P. E.
Primary Examiner
Art Unit 3612
July 30, 2004